



OFFICE OF THE DISTRICT ATTORNEY
RICHMOND COUNTY
MICHAEL E. McMAHON
DISTRICT ATTORNEY

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[REDACTED]

With reference to the above-mentioned case, and pursuant to our continuing obligations, the People make the following disclosure:

During a previous conversation with Police Officer Brian Mullarkey he indicated that during the time he has been employed by the New York City Police Department, he believed he had been named as a civil defendant or co-defendant in approximately three (3) civil lawsuits while he was a police officer.

The people performed a simple name search of the Public Access to Court Electronic Records and found the following case which listed Brian Mullarkey and the City of New York as a defendant:

1. Nieves v. City of New York et al., 1:13-cv-04592-SLT-SMG, settled in 2014 with a stipulation of settlement for an undisclosed amount, with the action being dismissed with prejudice and without admission of fault or liability.

Additionally, Police Officer Brian Mullarkey in June of 2013 received a command discipline following a substantiated internal investigation for incomplete / improper memo book.

Additionally, Police Officer Brian Mullarkey in April of 2018 received verbal instructions following a substantiated internal investigation for incomplete / inaccurate accident report.

Additionally, Police Officer Brian Mullarkey in May of 2019 received no discipline following a substantiated internal investigation for failure to secure evidence or crime scene.

The People reserve the right to move *in limine* to preclude reference to this information, or otherwise to object to its use or introduction into evidence during trial.

Should you wish to discuss this matter, please do not hesitate to call me at [REDACTED] [REDACTED] during office hours.